

**MUNICIPAL PLANNING COMMISSION MEETING MINUTES
OF NOVEMBER 19, 2019**

Minutes of the Municipal Planning Commission of Wheatland County held at the County Office, on Tuesday, November 19, 2019; scheduled to commence at 9:00 A.M. with the following present:

MPC Members: A. Link
 J. Wilson
 T. Ikert
 D. Biggar
 B. Armstrong
 S. Klassen
 G. Koester

Recording Secretary: D. Bodie
Interim CAO: B. Henderson

Call to Order B. Henderson, Interim CAO, called the meeting to order – time 9:00 A.M. The following were present when the meeting was called to order:

- Wheatland County Staff
 - S. Hayes– Development Officer
 - M. Williams – Planner II
 - M. Soltys – Communications Specialist
- Several Members of the public (Note: members of the public entered and left the meeting at various times).

**Resolution 19-11-01
Appointment of
Chairman &
Vice-Chairman**

Wheatland County Interim CAO, B. Henderson, called for nominations for the position of Chairperson of the Municipal Planning Commission, for a 1-year term. Wilson nominated Ikert and Armstrong nominated Klassen. Member Klassen respectfully declined the nomination. Ikert accepted nomination.

BIGGAR MOVED that IKERT be appointed as Chairperson of the Municipal Planning Commission for a one-year term.

- CARRIED

Ikert called for Vice-Chairperson nominations. Wilson nominated Biggar as Vice-Chairperson, for a 1-year term and Biggar accepted the nomination.

**Resolution 19-11-02
Approval of
Agenda**

LINK MOVED approval of the Municipal Planning Commission meeting agenda as presented.

- CARRIED

**Resolution 19-11-03
Approval of
Minutes**

WILSON MOVED approval, of the October 8, 2019 Municipal Planning Commission Meeting minutes as presented.

- CARRIED

DP2019-139 **Development Permit Application – DP2019-139**

Legal: Plan 921 0498, Lot 2 within NW 29-24-24-W4M

Title Area: 9.3 acres (3.76 ha)

Proposal: Home Based Business Type 3 – Motorcycle Parts & Service Shop

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-139, Home Based Business Type 3 – Motorcycle Parts

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and Service Shop, subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

**Resolution 19-11-04
DP2019-139**

KLASSEN MOVED TO APPROVE DP2019-139, Home Based Business Type 3 – Motorcycle Parts and Service Shop subject to the following conditions:

1. This Development Permit is issued solely for a Motorcycle Parts and Service Shop – Defined as Home-Based Business Type 3
2. No variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Business to remain consistent with the application and letter of intent.
6. Any expansion or intensification of the business beyond the criteria of a Home-Based Business Type 3 may require re-application to an alternate use or relocation of the business to an area more appropriate for the use.
7. Permit to be issued for a two (2) year term expiring on November 19, 2021.

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

DP2019-145

Development Permit Application – DP2019-145

Legal: Plan 821 0745, Block 1A, Lot 2 – Carseland

Title Area: 12,674 square feet

Proposal: Sign – Changeable Content

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-145, Sign – Changeable Content subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Biggar identified there are people in the audience who could speak to the sign if the Commission required.

Question regarding the location of sign and ownership of the property. Wheatland County owns the property and there was discussion regarding a lease agreement.

**Resolution 19-11-05
DP2019-145**

BIGGAR MOVED TO APPROVE DP2019-145, Sign – Changeable Content subject to the following conditions:

1. This Development Permit is issued solely for a Freestanding Information Sign for the community - Defined as a Sign, Changeable Content.
2. No variances have been granted.
3. Development shall proceed according to Community Service (CS) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. The sign shall not display at an angle, luminosity, intensity, or interval which creates a public hazard or nuisance.
5. No permanent development shall occur on or over any utility right of way or easement.

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Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

DP2019-146

Development Permit Application – DP2019-146

Legal: Plan 981 3143; Block 1 within NW 7-23-21-W4M

Title Area: 20.51 acres

Proposal: Dwelling, Accessory

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-146, Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

**Resolution 19-11-06
DP2019-146**

WILSON MOVED TO APPROVE DP2019-146, Dwelling, Accessory subject to the following conditions:

1. This Development Permit is issued solely for the purpose of allowing a manufactured dwelling as second residence on the property - Defined as a Dwelling, Accessory.
2. No variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

DP2019-149

Development Permit Application – DP2019-149

Legal: SW 2-24-25-W4M

Title Area: 158 acres

Proposal: Home Based Business Type 3 – Construction of Vehicle Accessories

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-149, Home Based Business Type 3 – Construction of Vehicle Accessories, subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Discussion of altering the regulations relating to a lease holder obtaining a Development Permit. Suggested to be discussed at a Planning & Priorities meeting.

**Resolution 19-11-07
DP2019-149**

WILSON MOVED TO APPROVE DP2019-149, Home Based Business Type 3 – Construction of Vehicle Accessories, subject to the following conditions:

1. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all

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applicable This Development Permit is issued solely for a business for the construction of vehicle accessories within an existing quonset – Defined as Home-Based Business Type 3

2. No variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Business to remain consistent with the application, and letter of intent.
6. Screening fence to be upgraded according to the details provided with the application.
7. Applicant to apply to have the parcel rezoned to a district more appropriate for the use. If the property is not rezoned prior to the expiry date stipulated below, this permit for a Home Based Business type 3 will not be renewed.
8. Permit to be issued for a one (1) year term expiring on November 19, 2020.

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

DP2019-151

Development Permit Application – DP2019-151

Legal: Plan 981 2185, Lot 1 within NE 8-24-24-W4M

Title Area: 8.95 acres

Proposal: Greenhouse - Public

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-151, Greenhouse - Public, subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Resolution 19-11-08

DP2019-151

LINK MOVED TO APPROVE DP2019-151, Greenhouse - Public subject to the following conditions:

1. This Development Permit is issued solely for construction of a 5388 ft² greenhouse structure for providing plants for sale to the public - Defined as a Greenhouse, Public.
2. No variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Business to remain consistent with application details and Letter of Intent. Any change in the use or intensity requires the approval of the Development Authority.
6. Any installation of signage on the lands will require the approval of the Development Authority.
7. Prior to construction and occupancy, the Landowner shall submit to the County documentation confirming the applicable water license has been obtained and is maintained for the "Development".

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

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DP2019-152

Development Permit Application – DP2019-152

Legal: NE 22-25-25-4

Title Area: 12.78 acre parcel

Proposal: Dwelling, Accessory

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-152, Dwelling, Accessory, subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

**Resolution 19-11-09
DP2019-152**

KLASSEN MOVED TO APPROVE DP2019-152, Dwelling, Accessory subject to the following conditions:

1. This Development Permit is issued solely for an existing second residence to be granted a change of use - Defined as a Dwelling, Accessory.
2. No variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

DP2019-157

Development Permit Application – DP2019-157

Legal: Plan 911 0892, Lot 1 within SE 27-23-26-W4M

Title Area: 9.85 acre parcel

Proposal: Contractor Services

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-157, Contractor Services without approving the construction of the additional greenhouse subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Additional letter from applicant was circulated to MPC prior to meeting.

Discussion of the water license.

Discussion of the traffic entering the business and concerns on Glenmore Trail. Stated that condition #8 addresses these concerns, but can be more specific if the members wished.

Discussion relating to the time of 7pm being to early for a business to close. Suggestion that time be extended to 9pm. Biggar offered an amendment to Ikert's motion of extending the operation hours to 9pm and Ikert accepted the amendment.

**Resolution 19-11-10
DP2019-157**

IKERT MOVED TO APPROVE DP2019-157, Contractor Services subject to the following conditions as amended:

1. This Development Permit is issued solely for a Landscape Design and Construction business - Defined as Contractor Service.
2. No new buildings or structures have been permitted.

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3. No variances have been granted.
4. Development shall proceed according to Rural Business (RB) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
5. No permanent development shall occur on or over any utility right of way or easement.
6. All materials related to the business such as stockpiles of soil, rocks or other items must be delivered to and stored in an area behind the fenced/screened area of the property and shall not exceed the height of the screening fence.
7. Soils or other landscaping materials stored onsite shall not contain contaminants.
8. Applicant to ensure there is adequate stacking space between the entrance gate and the edge of pavement on TR 234 to avoid vehicles from extending into on-coming traffic in the driving lanes of TR 234.
9. Applicant to ensure changes and improvements to the approach are developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.
10. Applicant to submit a waste management plan to the reasonable satisfaction of Wheatland County to alleviate business related debris from blowing onto neighboring properties.
11. Business to remain consistent with application details and Letter of Intent. Any change in the use or intensity requires the approval of the Development Authority.
12. Business related equipment may not operate onsite later than 9:00 PM.
13. Permit to be issued for a one year term expiring on November 19, 2020 pending completion of further clean-up of the site and approved mitigation plans.

Notes:

- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

SD2019-018

Subdivision Application – SD2019-018

Legal: NW-33-23-26-W4M and NE-33-23-26-W4M

Title Area: +/-148.85 Acres and +/-98.99 Acres

Proposal: To subdivide NW-33-23-26 W4M and NE-33-23-26-W4M in order to create three titled parcels.

M. Williams, Planner II, presented the application (Request for Decision and Planning Report) highlighting the following: recommendation - Option #1 to approve subdivision application SD2019-018, to subdivide NW-33-23-26 W4M and NE-33-23-26-W4M in order to create three titled parcels, subject to the conditions noted in Appendix A of the Planning Report. (Note: a copy of the Request for Decision and Planning Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

**Resolution 19-11-11
SD2019-018**

LINK MOVED TO APPROVE SD2019-018, to subdivide NW-33-23-26 W4M and NE-33-23-26-W4M in order to create three titled parcels with the following conditions:

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
2. That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
3. Approaches to the proposed parcel(s) and remainder built and

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located to County Standards and approved by the Public Works Department, at the Owners expense.

- 4. The Owners are to enter into a *Deferred Services Agreement* for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.
- 5. The Owners are to enter into an *Agreement of Easement for Construction and Maintenance of Any Public Works* with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.
- 6. The Owners are to enter into a *Road Acquisition Agreement*, which shall be registered by caveat concurrently with the final plan against the title(s) being created.

• CARRIED

SD2019-020

Subdivision Application – SD2019-020

Legal: Plan 131 2397, Block 2, Lot 1

Title Area: 10.91 acres

Proposal: To subdivide a +/-3 acre parcel for future residential development.

M .Williams, Planner II, presented the application (Request for Decision and Planning Report) highlighting the following: recommendation - Option #1 to approve subdivision application SD2019-020, to subdivide a +/-3 acre parcel for future residential development subject to the conditions noted in Appendix A of the Planning Report. (Note: a copy of the Request for Decision and Planning Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes). Concern with number of approaches on a busy highway. It was stated that an approach will be removed and a joint approach will be built.

**Resolution 19-11-12
SD2019-020**

LINK MOVED TO APPROVE SD2019-020, to subdivide one +/- 3.0 acre parcel from the titled area with the following conditions:

- 1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2. That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
- 3. A joint approach to the proposed and remainder parcels built and located to Alberta Transportation specifications and approved by Alberta Transportation, at the Owners expense.
- 4. The Owners are to enter into a *Deferred Services Agreement* for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

• CARRIED

**Resolution 19-11-13
Adjournment**

KOESTER MOVED the meeting adjourn – time 9:53 A.M.

• CARRIED

Chairperson – T. Ikert

Interim CAO – B. Henderson

Recording Secretary – D. Bodie